

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 511

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING FOR A PERMANENT
DISTINCTIVE REGISTRATION PLATE FOR PERMANENTLY DISABLED
PERSONS; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-16 NMSA 1978 (being Laws 1978,
Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. DISTINCTIVE REGISTRATION PLATES--PERSONS WITH
SIGNIFICANT MOBILITY LIMITATION--PARKING PLACARD.--

A. The division shall issue permanent distinctive
registration plates for use on motor vehicles and motorcycles
owned by a person with a significant mobility limitation ~~[who~~
~~requests a distinctive registration plate and who proves~~
~~satisfactorily to the division that the person meets the~~
~~standard provided in Subsection I of this section. No fee in~~

.172564.1

underscored material = new
[bracketed material] = delete

underscoring material = new
[bracketed material] = delete

1 ~~addition to the~~ as defined in Subsection K of this section,
2 who makes a written application for issuance of the plates,
3 accompanied by a medical statement from a licensed physician
4 attesting to the permanent significant mobility limitation. A
5 one-time fee of one hundred dollars (\$100) shall be collected
6 for issuance of each plate, but no other fee, including a
7 regular registration fee, if any, applicable to the motor
8 vehicle or motorcycle shall be collected for issuance of
9 distinctive registration plates pursuant to this section.

10 B. The revenue from the fee for each distinctive
11 registration plate issued pursuant to Subsection A of this
12 section shall be distributed as follows:

13 (1) twenty dollars (\$20.00) shall be retained
14 by the department and is appropriated to the department to
15 defray the costs of making and issuing the distinctive plates;
16 and

17 (2) eighty dollars (\$80.00) shall be
18 distributed to the disability fund and is appropriated to the
19 governor's commission on disability to further the purposes of
20 Sections 28-10-1 through 28-10-8.1 NMSA 1978.

21 ~~[B.]~~ C. No person shall falsely claim to have a
22 significant mobility limitation so as to be eligible to be
23 issued a distinctive registration plate or a parking placard
24 pursuant to this section when the person does not in fact have
25 a significant mobility limitation. Upon notice and opportunity

.172564.1

underscoring material = new
[bracketed material] = delete

1 to be heard, the division may revoke and demand return of any
2 placard when:

3 (1) it was issued in error or with false
4 information;

5 (2) the person receiving the placard is no
6 longer eligible; or

7 (3) the placard is being used by ineligible
8 persons.

9 ~~[G.]~~ D. Upon written application to the division
10 accompanied by a medical statement by a licensed physician
11 attesting to the permanent significant mobility limitation, a
12 resident of the state who has a significant mobility
13 limitation, as provided in this section, may apply for and be
14 issued no more than two parking placards for display upon a
15 motor vehicle registered to the person or motor vehicle owned
16 by another person who is transporting the person with a
17 significant mobility limitation. The physician shall provide
18 the division all information and records necessary to issue a
19 permanent parking placard. Once approved for use of a
20 permanent parking placard, a person with a significant mobility
21 limitation shall not be required to furnish further medical
22 information.

23 ~~[D.]~~ E. A parking placard issued pursuant to this
24 section shall expire on the same date the person's license or
25 identification card issued pursuant to Section 66-5-401 NMSA

.172564.1

underscored material = new
[bracketed material] = delete

1 1978 expires.

2 ~~[E-]~~ F. The division shall issue two-sided
3 hanger-style parking placards with the following
4 characteristics:

5 (1) a picture of the international symbol of
6 access;

7 (2) a hologram to make duplication difficult;

8 (3) an imprinted expiration date; and

9 (4) a full-face photograph of the holder on
10 the inside of the placard covered by a flap.

11 ~~[F-]~~ G. The division shall consult with the
12 governor's commission on disability for continued issuance and
13 format of the placard.

14 ~~[G-]~~ H. The division may issue an identification
15 card containing a full-face photograph of the holder of the
16 registration plate or parking placard and the number of the
17 registration plate or parking placard issued to that person.

18 ~~[H-]~~ I. Upon written application to the division
19 accompanied by a medical statement from a licensed physician
20 attesting to a temporary significant mobility limitation, a
21 person may be issued a temporary placard for no more than one
22 year. The physician shall provide the division all information
23 and records necessary to issue a temporary placard.

24 ~~[I-]~~ J. Registration plates or parking placards
25 issued to a person with a significant mobility limitation by

.172564.1

underscored material = new
[bracketed material] = delete

1 another state or foreign jurisdiction shall be honored until
2 the motor vehicle or motorcycle is registered or the parking
3 placard holder establishes residency in this state.

4 ~~[J-]~~ K. A person with a significant mobility
5 limitation means a person who:

6 (1) cannot walk one hundred feet without
7 stopping to rest;

8 (2) cannot walk without the use of a brace,
9 cane or crutch or without assistance from another person, a
10 prosthetic device, a wheelchair or other assistive device;

11 (3) is restricted by lung disease to such an
12 extent that the person's forced respiratory volume, when
13 exhaling for one second, when measured by spirometry, is less
14 than one liter or the arterial oxygen tension is less than
15 sixty millimeters on room air at rest;

16 (4) uses portable oxygen;

17 (5) has a severe cardiac condition; or

18 (6) is so severely limited in the ability to
19 walk due to an arthritic, neurologic or orthopedic condition
20 that the person cannot ascend or descend more than ten stair
21 steps."